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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/755,863	01/05/2001	Marise Chan	60001.0005US01	3683
27488	7590	01/11/2006	EXAMINER	
MERCHANT & GOULD (MICROSOFT)			VAUGHN, GREGORY J	
P.O. BOX 2903			ART UNIT	
MINNEAPOLIS, MN 55402-0903			PAPER NUMBER	
			2178	

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/755,863

Applicant(s)

CHAN ET AL.

Examiner

Gregory J. Vaughn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2,5-7 and 21-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2,5-7 and 21-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Action Background

1. This action is responsive to the applicant's amendment, filed on 10/19/2005.
2. Applicant has amended claims 2 and 21, and added new claims 22 and 23, (claims 1, 3, 4, and 8-20 were previously cancelled).
3. Claims 2, 5-7 and 21-23 are pending in the case, claims 2, 7 and 22 are independent claims.
4. Examiner's rejection of claim 21, made under 35 USC 112 in the *Claim Rejections – 35 USC 112* section of the previous office action (dated 8/30/2005) is withdrawn in view of the amended claim.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

"The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention."

6. Claim 23 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

7. **Regarding claim 23**, the amendment filed 10/19/2005 adds the following limitations: *"applying the determined formatting characteristics populated to the find dialog to at least one other cell by selecting the other cell."* The examiner has reviewed the originally filed specification, and has failed to find support for the limitation directed toward *"applying ... by selecting the other cell"* (emphasis added). Applicant is required to cancel the new matter in response to this office action.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

“(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.”

9. Claim 2 remains rejected and claims 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brian Underdahl *“Using Quattro Pro 6 for Windows”* published by Que Corporation, Indianapolis, Indiana, 1994 (hereinafter Underdahl) in view of *“WordPerfect V6.1 User’s Guide”* published by Novell Inc., Orem Utah, 1994 (hereinafter WordPerfect V6.1).

10. **Regarding independent claim 2**, Underdahl discloses moving a cursor over a cell in a spreadsheet containing a plurality of formatting characteristics and clicking a mouse button to select the cell, whereby in response to selecting the cell the formatting characteristics of the selected cell are determined and applied to the plurality of fields of the dialog. Underdahl recites: *“To change the display format of a cell or a block, first highlight the cell or block. Then click the right mouse button inside the cell or block or press F12 to open the Active Block Object Inspector dialog box. The Numeric Format pane is selected by default”* (page 193, seventh paragraph). Underdahl also discloses this functionality in Fig. 6.6 on page 192 and Fig.

6.7 on page 194, where in Fig. 6.6 a cell is selected, and Fig. 6.7 shows the dialog box for the formatting characteristics of the selected cell.

Underdahl discloses choosing a plurality of formatting characteristics of a cell in the spreadsheet in Figure 6.7. Figure 6.7 discloses the plurality of formatting characteristics in the left side of the dialog (shown as "*Numeric Format*", "*Font*", "*Shading*", "*Alignment*" etc.), where the user would choose a format of the cell in the spreadsheet.

Underdahl discloses editing the plurality of fields in the dialog to correspond to the formatting characteristics of the cell in Figure 6.7. Figure 6.7 discloses a plurality of fields that are editable (shown as radio buttons in the center of the dialog and as a data entry box on the right side of the dialog for the "*Numeric Format*" formatting characteristic) where the user would edit the plurality of formatting characteristics to correspond to the formatting characteristics of the cell.

Underdahl discloses a "*Find/Replace*" dialog for a spreadsheet program on page 174, Figure 5.32. Underdahl discloses selecting a cell. Underdahl recites: "*Highlight the area you want to search*" (page 174, last paragraph). Underdahl discloses the use of a mouse. Underdahl recites: "*You can use the direction keys or the mouse to move the cell selector*" (page 15, third paragraph). Highlighting is a method for selecting; said method inherently includes the moving of the cursor over the area to be selected and clicking a mouse button.

Underdahl discloses automatically populating a plurality of fields in a dialog by selecting a cell, choosing formatting characteristics and editing formatting characteristics. Underdahl discloses the use of a find dialog for spreadsheets that provides for conditional searching (see Figure 5.32 where the find operation can be restricted by “*Formula*”, “*Value*” and “*Condition*”). Underdahl’s “*Formula*” and “*Condition*” search restrictions fail to explicitly disclose “*formatting characteristics*”.

WordPerfect V6.1 teaches the use of a “*Find/Replace*” dialog, which allows the determination and editing of formatting characteristics. WordPerfect V6.1 recites: “*The Codes option lets you find and replace any codes regardless of values the codes may contain. For example, if you search for a font size code, any font size code will be found. You can search for more than one code at a time or for a combination of words and codes*” (page 160, third paragraph).

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time the invention was made to enhance the “*Find/Replace*” dialog of Underdahl with the format capabilities as taught by WordPerfect V6.1 in order to allow a search of spreadsheet cells based upon text and formatting characteristics.

11. **Regarding independent Claim 22**, the claim is substantially the same as claim 2 and is rejected using the same rationale.

12. **Regarding dependent claim 23**, Underdahl discloses applying the determined formatting characteristics from the find dialog to at least one other cell. Underdahl discloses the "*Find/Replace*" dialog box as described above and shown in Fig. 5.32 on page 174. Activating the "*Replace*" or "*Replace All*" functions associated with the "*Find/Replace*" dialog will cause the formatting characteristics from the "*Find/Replace*" dialog to be applied to one or more other cells.
13. Claim 5 and 21 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Underdahl in view of WordPerfect V6.1, and in further view of "*Corel Draw*" published by Corel Corporation, Ontario, Canada, 1992 (hereinafter Corel).
14. **Regarding dependent claim 21**, Underdahl discloses selecting an option, where the option is for choosing formatting characteristics from a formatted cell in a spreadsheet. Underdahl recites: "*When you choose **Edit Find and Replace**, the Find/Replace dialog box shown in Figure 5.32 appears*" (page 174, third paragraph) (Note: Underdahl's use of "*Edit Find*" is related to selecting from the menu structure of the GUI). Underdahl and WordPerfect V6.1 fail to disclose the cursor changing to a second shape, where the second shape indicates to the user that selecting a cell (i.e. clicking the cell) will apply the attributes to the find dialog box. Corel teaches the use of a plurality of special shape cursors that indicate to the user the special functionality that is currently associated with the special cursor shape on page

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23, at the bottom of the page (for instance the eraser shape cursor is used for erasing).

Therefore, it would have been obvious, to one of ordinary skill, at the time the invention was made, to use special shaped cursor, as taught by Corel, with the find/replace dialog with selection of a cell by a user with a mouse of Underdahl and WordPerfect V6.1 in order to provide a visual indicator to the user as to the function the cursor is currently enabled as.

15. **Regarding dependent claim 5**, Underdahl and WordPerfect V6.1 disclose a spreadsheet find/replace dialog with selection of a cell by a user with a mouse is disclosed. Underdahl and WordPerfect V6.1 fail to disclose the second shape of the cursor of the mouse shaped like an eyedropper. Corel teaches the shape of the cursor as an eyedropper. Corel discloses an eyedropper cursor on page 25, at the top of the page.

Therefore, it would have been obvious, to one of ordinary skill, at the time the invention was made, to use an eyedropper shaped cursor, as taught by Corel, with the find/replace dialog with selection of a cell by a user with a mouse of Underdahl and WordPerfect V6.1 in order to provide a visual indicator to the user as to the function the cursor is currently enabled as.

16. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Underdahl in view of WordPerfect V6.1, in view of Corel and in further view of Microsoft Excel 2000 (the spreadsheet application) as depicted in the

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screen captures created by the examiner, the copyright of the application being 1985-1999 (hereinafter Excel).

17. **Regarding dependent claim 6**, Underdahl and WordPerfect V6.1 disclose determining formatting characteristics for a plurality of fields of a cell in a spreadsheet. However Underdahl and WordPerfect V6.1 fail to disclose the characteristics comprising a plurality of number fields, a plurality of alignment fields, a plurality of font fields, a plurality of border fields, a plurality of pattern fields, or a plurality of protection fields. Excel discloses characteristics comprising a plurality of number fields, a plurality of alignment fields, a plurality of font fields, a plurality of border fields, a plurality of pattern fields, and a plurality of protection fields as shown on pages 1-4.

Therefore, it would have been obvious, to one of ordinary skill, at the time the invention was made, to determine the formatting characteristics of Underdahl, WordPerfect V6.1 and Corel with the cell format controls as taught by Excel, in order to use all possible formatting characteristics of a cell for a searching function.

18. **Regarding dependent claim 7**, the claim is directed toward a computer readable medium for the method of claim 6, and is rejected with the same rationale.

Response to Arguments

19. Applicant's arguments filed 10/19/2005 have been fully considered but they are not persuasive.
20. **Regarding the claim 2**, the applicant argues that the Underdahl and WordPerfect references fail to suggest "*a computer-implemented method for determining the formatting characteristics of the selected cell and applying those characteristics to a plurality of fields in a find dialog in response to selecting the cell*" (page 6, third paragraph of the amendment filed 10/19/2005). Applicant is directed to the rejection of claim 2, as stated above. Underdahl discloses moving a cursor over a cell in a spreadsheet containing a plurality of formatting characteristics and clicking a mouse button to select the cell, whereby in response to selecting the cell the formatting characteristics of the selected cell are determined and applied to the plurality of fields of the dialog. Underdahl recites: "*To change the display format of a cell or a block, first highlight the cell or block. Then click the right mouse button inside the cell or block or press F12 to open the Active Block Object Inspector dialog box. The Numeric Format pane is selected by default*" (page 193, seventh paragraph). Underdahl also discloses this functionality in Fig. 6.6 on page 192 and Fig. 6.7 on page 194, where in Fig. 6.6 a cell is selected, and Fig. 6.7 shows the dialog box for the formatting characteristics of the selected cell.

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21. **Regarding dependent claim 21**, applicant argues that: *"Corel merely discloses an eyedropper cursor tool to pick a color from a picture and set that as a primary, secondary, or background color. Nothing in that reference, alone or together with anything found in Underdahl and WordPerfect, would have suggested to one of ordinary skill a computer-implemented method comprising the specific steps of Claim 21"* (page 7, third paragraph of the amendment filed 10/19/2005). Applicant is directed to the rejection of claim 21, as stated above. Changing the shape of the cursor to indicate a change in functionality associated with the cursor is well known in the art. Corel provides an example of this functionality. A palette of tools available to the user is shown by Corel at the bottom of page 23. A user would select one of the tools shown to activate the tool's function, which is represented by a distinct shape change for the cursor. Applicant's claim 21 recites: *"selecting an option ... in response to selecting the option, changing the shape of the cursor from a first shape to a second shape distinct from the first ... whereby the distinct shape denotes to a user"*. Corel discloses selecting an option, which causes the cursor shape to change, and denotes a change functionality for the cursor.

22. **Regarding new claims 22 and 23**, the rejection of these claims is stated above. Applicant's arguments related to claim 22 are substantially the same as those arguments for claim 2. See the examiner's rebuttal to these arguments in the paragraph above. Claim 23 is rejected under 35 USC 112, and 35 USC 103 as described above.

Conclusion

23. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (571) 272-4131. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached at (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is (571) 272-2100.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory J. Vaughn
January 5, 2006



STEPHEN HONG
SUPERVISORY PATENT EXAMINER